

FORM 6 (ND/SD MISS. DEC. 2011)

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION

X

**ROBERT K. HILL; DONALD BYTHER; )  
SANDY BYTHER; KEITH CLARK; )  
SAMUEL COPELAND; B.T. ERVE; )  
PERCY EVANS; GEORGE FLAKES; )  
SCOTT GOOLSBY; SHEILA KELLY; )  
PAUL LEONARD; FRED SMITH; )  
DEWAYNE TOLLIVER; ULYSSES )  
WILEY; and WARFLOYD WINTERS )  
Individually and on Behalf of Themselves, )  
and on behalf of a Class of Persons )  
Similarly Situated, )**

)  
Plaintiffs,

v. )

HILL BROTHERS CONSTRUCTION )  
COMPANY, INC.; HBC BOARD OF )  
DIRECTORS, KENNETH W. HILL, )  
GERALD C. HILL, JIMMY HILL, )  
STERLING AKER, DANNY )  
McCALLISTER and CLYDE R. )  
ROBERTSON; )  
THE HILL BROTHERS )  
CONSTRUCTION COMPANY INC. )  
EMPLOYEE STOCK OWNERSHIP )  
AND 401(K) PLAN AND TRUST PLAN )  
ADMINISTRATIVE COMMITTEE, )  
AND THE PEOPLES BANK )

)  
Defendants.

Case No. 3:2014-cv-00213

Honorable Judge Sharion Aycock

**JURY TRIAL DEMAND**

**APPLICATION FOR ADMISSION PRO HAC VICE**

(A) Name: Sterling L. DeRamus

Firm Name: Attorney at Law

Office Address: 2229 1<sup>st</sup> Ave. North,

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City: Birmingham State AL Zip 35223  
Telephone: (205) 504-0189 Fax:  
E-Mail: sderamus@deramuslaw.com

**(B)** Client(s): Robert K. Hill; Donald Byther; Sandy Byther; Keith Clark; Samuel Copeland; B.T. Erve; Percy Evans; George Flakes; Scott Goolsby; Sheila Kelly; Paul Leonard; Fred Smith; Dewayne Tolliver; Ulysses Wiley; and Warfloyd Winters; Individually and on Behalf of Themselves, and on behalf of a Class of Persons Similarly Situated

Address: Various (previously supplied)

City: \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

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The following information is optional:

Has Applicant had a prior or continuing representation in other matters of one or more of the clients Applicant proposes to represent and is there a relationship between those other matter(s) and the proceeding for which Applicant seeks admission?

No.

Does Applicant have any special experience, expertise, or other factor that Applicant believes makes it particularly desirable that Applicant be permitted to represent the client(s) Applicant proposes to represent in this case?

Applicant has been involved in several ERISA Class Action Complaints of a similar nature.

(C) Applicant is admitted to practice in the:

X State of Alabama  
\_\_\_\_\_  
District of Columbia

and is currently in good standing with that Court. A certificate to that effect, issued within ninety days of the date of this Application, is enclosed; the physical address, telephone number and website/email address for that admitting Court are:

All other courts before which Applicant has been admitted to practice:

Jurisdiction	Period of Admission
Northern District of Alabama	1993 – 2008 (Applicant was on Active Military Duty until recently, and has not reapplied)
Middle District of Alabama	1998 (est) – 2008
Southern District of Alabama	2000 (est) – 2008
11 <sup>th</sup> Circuit Court of Appeals	1996 (est) - 2008

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	Yes	No
<b>(D) Has Applicant been denied admission pro hac vice in this state?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Has Applicant had admission pro hac vice revoked in this state?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Has Applicant been formally disciplined or sanctioned by any court in this state in the last five years?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>If the answer was "yes," describe, as to each such proceeding, the nature of the allegations, the name of the person or authority bringing such proceedings; the dates the proceedings were initiated and finally concluded; the style of the proceedings; and the findings made and actions taken in connection with those proceedings:</p>      		
<b>(E) Has any formal, written disciplinary proceeding ever been brought against Applicant by a disciplinary authority in any other jurisdiction within the last five years?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>If the answer was "yes," describe, as to each such proceeding, the nature of the allegations; the name of the person or authority bringing such proceedings; the date the proceedings were initiated and finally concluded; the style of the proceedings; and the findings made and actions taken in connection with those proceedings.</p>		
<b>(F) Has Applicant been formally held in contempt or otherwise sanctioned by any court in a written order in the last five years for disobeying its rules or orders?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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If the answer was "yes," describe, as to each such order, the nature of the allegations, the name of the court before which such proceedings were conducted; the date of the contempt order or sanction, the caption of the proceedings, and the substances of the court's rulings (a copy of the written order or transcript of the oral rulings must be attached to the application).

- (G) Please identify each proceeding in which Applicant has filed an application to proceed pro hac vice in this state within the preceding two years, as follows:

Name and Address of Court	Date of Application	Outcome of Application
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None

- (H) Please identify each case in which Applicant has appeared as counsel pro hac vice in this state within the immediately preceding twelve months, is presently appearing as counsel pro hac vice, or has pending applications for admission to appear pro hac vice, as follows:

Name and Address of Court	Style of Case
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None

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- |   | Yes                                 | No                       |
|---|-------------------------------------|--------------------------|
| (I) Has Applicant read and become familiar with all of the LOCAL UNIFORM CIVIL RULES OF THE UNITED STATES DISTRICT COURTS FOR THE NORTHERN AND SOUTHERN DISTRICTS OF MISSISSIPPI? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Has Applicant read and become familiar with the MISSISSIPPI RULES OF PROFESSIONAL CONDUCT?  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

- (J) Please provide the following information about the resident attorney who has been associated for this case:

Name and Bar No: Matthew Harris 99595

Firm Name:

Office Address:

City: \_\_\_\_\_

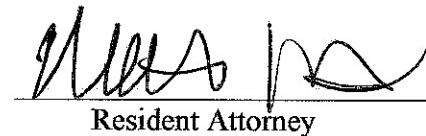
State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-Mail: \_\_\_\_\_

- (K) The undersigned resident attorney certifies that he/she agrees to the association with Applicant in this matter and to the appearance as attorney of record with Applicant.



Resident Attorney

I certify that the information provided in this Application is true and correct.

January 20, 2015

Date



Applicant's Signature

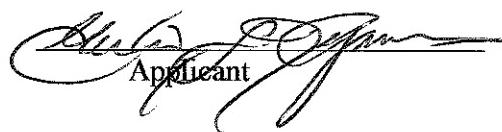
**Unless exempted by Local Rule 83.1(d)(5), the application fee established by this Court must be enclosed with this Application.**

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**CERTIFICATE OF SERVICE**

The undersigned Applicant certifies that a copy of this Application for Admission Pro Hac Vice has been mailed or otherwise served on this date on all parties who have appeared in this case.

This the 20<sup>th</sup> day of January, 2015.



A handwritten signature in black ink, appearing to read "Mark D. Ogden". Below the signature, the word "Applicant" is written in a smaller, printed-style font.